

**TRIBAL COUNCIL MEETING MINUTES
OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD INDIAN NATION, MONTANA**

Volume 18 Number 45
Council Chambers, Pablo, MT

Held: March 15, 2018
Approved: March 22, 2018

MEMBERS PRESENT: Ronald Trahan, Chairman; Leonard Gray, Vice-Chairman; Troy Felsman, Secretary; Anita Matt, Treasurer; Shelly Fyant; Dennis Clairmont; Leonard TwoTeeth; Charmel Gillin; and James Steele, Jr.

MEMBERS ABSENT: Carole Lankford (NAIHC - Billings, MT).

OTHERS PRESENT: Jennifer Trahan, Council Office Manager; Bill Kehoe, Sergeant at Arms; and Abby Dupuis, Recording Secretary.

The meeting was called to **order** at 9:06 a.m. Quorum established. **Len TwoTeeth** will join the meeting later this morning.

The meeting was opened with a **prayer** by Troy Felsman.

The **Tribal Council Meeting Minutes** for March 8, 2018 were presented for approval.

MOTION by James Steele, Jr. to approve the Tribal Council Meeting Minutes for March 8, 2018, with corrections. Seconded by Anita Matt. Carried, 5 for; 3 abstentions (Troy Felsman, Leonard Gray and Charmel Gillin).

The **agenda** was presented for approval. No conflicts of interest were identified.

MOTION by Anita Matt to approve the agenda, with changes. Seconded by Dennis Clairmont. Carried, unanimous (8 present).

Julie Cajune, Education Department, requested approval of a contract with Red Horse Art & Architecture, Inc. in the amount of \$2,714.50 for a general site evaluation and review of the People's Center building. The contract was reviewed by Contracts & Grants, and the Facilities Maintenance manager was contacted about this project.

Len TwoTeeth joined the meeting.

MOTION by Troy Felsman to approve the contract with Red Horse

Tribal Council Meeting Minutes
March 15, 2018

Art & Architecture, Inc. in the amount of \$2,714.50 for a general site evaluation and review of the People's Center building. Seconded by Leonard Gray. Carried, unanimous (9 present).

Mark Couture, Lands Department, gave an update on the MSU Extension Officer. The only MOU he has in the file expires in 2021 that was signed by the tribal chairman, but Lands does not have a copy signed by MSU. Mark sent out another email to MSU trying to get the signed MOU and a copy of the current position description for the Extension Officer. The only PD on file is the one for when Rene Kittle was hired. Council wants to know what her duties are and who she reports to. Jeff Bader, Extension Office Director, is her supervisor, but she answers directly to MSU and her direct supervisor is Dan Lucas. **Anita Matt** wants to know what her work plan is and if she is completing that. Mark will provide a copy of all the information he has. **Shelly Fyant** commented that she also answers to the Tribes. A community needs assessment is done and that is what the priorities are based on; once developed then they need council approval. Shelly has not seen that in the past four years. The funding is based on the tribal program. When Shelly was at the IAC meeting in Polson. The Blackfeet and Northern Cheyenne gave extensive reports on what they do and all tribes were different in their work plans. Those tribes approve it on an annual basis. **Carolee Wenderoth**, Tribal Lands Department, joined the discussion. She thinks some guidance between the CSKT and MSU Extension would be helpful. She said the council minutes were clear that Lands has no supervision of MSU Extension. Lands was no part of the MOU; council was. Carolee requested clarification so everyone will be on the same page. Anita explained that the MSU Extension Officer was supposed to report to council and work with the Lands Department in an advisory capacity. They always held producer meetings and coordinated education for producers. Her job is to work hand in hand with area producers. Council has had no report on what she is doing and has not seen much presence from her. Joel Clairmont was at the September quarterly meeting and asked about it. She is supposed to work with Lands and report to tribal council. She met with council in December but the report she gave had a brochure that was several years old. Shelly wants a copy of the MOU. Carolee clarified that Rene has had contact with the Lands staff. Lands needs to know who is responsible for the reports, Rene or Lands, and if Lands is supposed to get the reports and bring to council. **Council** wants to review the MOU and then discuss again with Lands. **Troy Felsman** wants a physical presence. She has not reported to council since he has been on tribal council. Council also wants regular meetings/updates, so maybe we didn't make it clear to her when she met with council in December. We asked for help to put on the national ag statistics and she did not have time to do it. And she did not attend the IAC meeting in August.

Annie "Katy" Sorrell and **Gene Sorrell**, Tribal Members, informed council that Katy is currently getting her masters in Environmental Forest and Biology at

Tribal Council Meeting Minutes
March 15, 2018

the State University of New York College of Environmental Science and Forestry in Syracuse, New York. One of the community research projects she is working on includes the integration of Traditional Ecological Knowledge. She wants support from the Tribal Council to do this thesis. **Shelly Fyant** commented that usually these requests are referred to Salish Kootenai College. She wants to know who owns that research. Shelly wants the Policy Analyst to review and confirm the Research Policy. Jenny Fowler is someone that Katy could possibly work with. Katy wants to make her presentation to the Salish Culture Committee. **No action taken.** Council asked Katy to contact the Culture Committee first.

Jason Adams, Salish Kootenai Housing Authority; **Janet Camel**, Economic Development; and **Carolee Wenderoth**, Tribal Lands Department; discussed the Ronan Community Center plans. The working group was re-established and two work group meetings have been held. The group needs direction on how to proceed. Once council authorizes the group to proceed, they would approach the budget committee for possible funding options. New Market Tax Credits may be an optional funding source, which would be a 20 percent contribution. The work group wants to change the name of the building to be the Ronan Health & Wellness Center. McArthur Means & Wells would be the architect. The building will be a place for wakes and funerals, and also have office space. The fitness center space has changed in the plans since the first plans had a gymnasium. **Council** would like to have further discussion before naming the building. Jason requested council direction to move this request to the budget committee. **Vern Clairmont**, Financial Management, informed council that the project was originally going to be funded by outside sources; that plan has shifted and now the proposal is to have it funded by the Tribes. The new market tax credits do come with requirements that council needs to understand before entering into. **Charmel Gillin** commented that community needs are important. Ronan is the largest community based on tribal population. Polson has needs, as well, and Charmel would like support for the Polson community when the time is right. **Council** referred the request to the budget committee.

Janet Camel, Economic Development, returned to council to seek approval of the application to request the Montana Department of Commerce and Governor Bullock to designate Flathead Reservation census tracts as Opportunity Zones. Arlee was removed from the proposal, as previously directed. The three tracts that Janet wants recommended for a ten-year designation are Hot Springs/Dixon, Pablo and Ronan. Elmo, Big Arm, Polson, and St. Ignatius are not designated as poverty areas. March 30 is the submission deadline. One drawback is that any developer could benefit from this designation and would not be required to work with the Tribes on fee properties. Elmo is in a unique position since the reason it does not qualify as opportunity zones is due to the fee land owners on Flathead Lake. **Troy Felsman** would like Janet to have the

Tribal Council Meeting Minutes
March 15, 2018

Elmo district census tract reshaped to reflect the true economic demographic of Elmo. **Charmel Gillin** wants the policy analyst to work on this. **Shelly Fyant** wants the information about Elmo included in the letter. Janet will make the edits requested and present back for approval this afternoon.

***** **Break** *****

Chairman Trahan requested approval of a letter.

MOTION by Troy Felsman to approve the letter. Seconded by Shelly Fyant. Carried, unanimous (9 present).

Jean Matt, Mission Valley Power General Manager; **Gordon Fyant**, **Allen Sloan** and **Germaine White**, Mission Valley Power Utility Board; **Jeanne West**, Financial Services Manager; **Dalene Gardipe**, Customer Service Manager; **Craig Morigeau**, Superintendent of Operations; **Joe Louis Caye**, Electrical Engineer; and **Arnold Sorrell**, Safety Officer; provided orientation on MVP. Mission Valley Power is a federally-owned utility, operated and maintained by the CSKT pursuant to a contract authorized under the Indian Education and Self-Determination Act and started October 1, 1988. MVP is organized and exists to provide the best possible and most cost-effective power service to its customers consistent with sound business principles. The Utility Board has five members that are appointed by the tribal council. All members of the Utility Board are tribal members. There are seven members on the Consumer Council who are appointed by the Superintendent. The Consumer Council has six nontribal members and one tribal member. The company has a total of 73 employees (68 are tribal members). Ten employees retired and two new apprentices were hired this year. MVP is a nonprofit organization and is funded by the rate payers. Payments by phone have doubled, and the Smart Hub has quadrupled. Final notices, disconnect notices, and green/orange/red cards delivered have decreased. \$215,000 was returned to customers via rebates. Customers saved 1.6 million KWH through conservation. MVP responded to 411 unplanned power outages. Two lineman apprentices were hired (both tribal members) and two apprentices became craft journeymen. MVP has paid the Tribes \$2 million in admin fees over the past 4 years. MVP has a power contract with Bonneville Power Administration until 2028. 80% of the power was purchased from BPA, 19% was purchased from SKQ, and 1% from Hellroaring/Boulder. SKQ is listed as a dedicated resource. **Shelly Fyant** attended the ATNI Convention. The CSKT is part of the climate change initiative called We Are Still In. She requested a report from MVP on what the company has done to improve climate change.

Kelly Parker, Department of Human Resources Development, gave orientation on the DHRD Administrative Services Division. The program has 16 employees. The division's main function is to pay vendors, payroll/timesheets,

Tribal Council Meeting Minutes
March 15, 2018

receipts, maintain ledgers, and financial reports. One program is funded by a private foundation. The program administers \$16 million in funding, most of which benefits DHRD clients directly. **Charmel Gillin** requested that the tribal council be provided a real time report of the budget balance for the Dire Need account. The intent of Dire Need was discussed. A grandmother primary care provider for two teenagers contacted Shelly; she had to get the kids up at 5:00 a.m. to ride the DHRD bus. Sometimes they were left off early from work and were stranded waiting for the DHRD bus. The school had requested a summer youth employee and was told no kids were available. Shelly requested that they follow up on those concerns. The Trust Manager has 37 clients that are provided services.

Natalie Kenmille, Department of Human Resources Development, gave orientation on the Community Support Division. Programs in that division include Child Support Enforcement, Commodities, Field & Home, Child Care Block Grant, General Assistance, WIA, IIM, Native Employment Works, Summer Youth, TANF, LIHEAP, Dire Need, Voc-Rehab, and OCS. Over \$1 million has been collected in child support. Child Support and TANF programs have security officers who monitor the building. The security officers are the first people to be called when programs have an issue or a theft occurs. Vacant positions cannot be filled due to lack of office space available.

Arlene Bigby, Kicking Horse Job Corps Center; and **Vern Clairmont**, Financial Management; gave an update on KHJCC issues. The bottom line of Department of Labor reimbursements needs to be determined. The DOL wants reimbursement for those leases that we were reimbursed for. They need to meet with Victoria to come up with a plan and get it closed out. They are trying to close out Sovereign Leasing issue. Martin is working on the affidavits and planning to get them process next week. SKC agreements should be presented to council next week. They did not receive the last letter on the second cure. Most issues in the second cure have already been addressed. Kevin Thomas's contract ended but he is willing to provide support for another 90 days. Trapper Creek and Anaconda is willing to do an assessment if council is interested. She wants to reach out to both places to see what is involved with that. The reimbursement owed to the DOL amounts to about \$53,000 for the leases. KHJCC ranking increased to 115. The center currently has 32 students.

***** **Break** *****

Shelly Fyant out of the room.

Jami Pluff, Policy Analyst; and **Zanen Pitts**, Arlee Boys Basketball Coach; discussed the Fundamentals of Montana High School Association (MHSA) Athletic Regulations. Council had wanted to do some medallions for the team.

Tribal Council Meeting Minutes
March 15, 2018

There is a \$100 per limit per student per event. Zanen explained the recruiting rules. The youth conference is in two weeks and Zanen recommended scheduling the team to meet with council on March 27 instead of at the quarterly council meeting. **Dave Whitesell**, Arlee Superintendent, joined the discussion. He appreciates the Tribes' support. The rules must be followed to avoid the students from losing their amateur status. Jordan Lefler made the *Together We Rise* video and he designed t-shirts that will be made and sold to schools to give students in support of suicide prevention and joining the movement. New York Times will be publishing an article on this movement. The Senator from New Jersey wants to get this movement in New Jersey. Council had wanted to show the video at the quarterly meeting and honor the team. Their goal is to have a TV network air the video as a commercial during March Madness.

Jordan Thompson, Legal Department, gave an update on the Lake County Commissioners' intent to repeal the density map and regulations. The media reached out requesting a statement from the Tribes. Jordan presented for approval a proposed statement. **Council** approved the statement. There will be another meeting held when the LCC takes action to repeal the regulations.

Troy Felsman gave an update on the S&K Gaming board meeting. SKG has increased revenue by \$915,000 compared to last year. Timbers Restaurant is struggling still but marketing has improved. The experiment of purchasing machines has went well, compared to leasing the machines. It is a profitable venture and SKG may purchase additional machines in the future. SKG is still dealing with challenges at the Big Arm property and the fee to trust transfer. 5 cabins are being constructed. KTN is looking into revamping The Nook into a restaurant. The pool is being redone due to mold. There are some structural issues due to the mold damage.

Charmel Gillin gave a report on the elders meeting she attended yesterday. The Timber Use Management Plan redraft was discussed. They talked about a canoe project, the River Honoring in May, and there was a presentation on language app and new stories application that will be brought in. An animal game was introduced for language. There was a diabetes app presentation. Louise Mitchell discussed the Health Kids Food Program. Traditional food was served for lunch. The SPCC will send a letter that elders are interested in having more council participation in their meetings. A question was posed to why council appoints council members to committees and board but nobody is appointed to meet with the elders. Charmel does not want budget committee meetings scheduled at the same time as the elders meetings.

James Steele, Jr. attended the legislative council meeting during the day and observed the process. James was able to give some small gifts of appreciation to them.

Len TwoTeeth discussed the \$600 allocation that was used in the past for nontribal member families for burial expenses. One of the sons of Katy Nick has passed on and the funeral services will be in Arlee. Len wants the family to have access to that \$600 for the feast. **Ron Trahan** commented that the burial policy does not cover descendants. **Jennifer Trahan** reported that \$125 for paper products was approved on Monday. The request is a deviation from the burial policy. Council can waive policy if they choose to. He was part of the Arlee community.

MOTION by James Steele, Jr. to support the family in the total amount of \$600. Seconded by Troy Felsman. Carried, 7 for; 1 opposed (Charmel Gillin).

Charmel Gillin, for the record, "While he is a personal friend of mine, I voted no because I prefer not to deviate from the policy. For the last several weeks we've talked about convening to review the burial policy funds and I want a commitment from the council to set a date for that."

James Steele, Jr., for the record, "David was part of the Arlee community and pretty much grew up in Arlee and had close ties with the community."

Chairman Trahan directed Jennifer Trahan to set up a meeting to review the Burial Policy.

Janet Camel, Economic Development, requested approval of the cover letters to the Department of Commerce and Governor Bullock for the Opportunity Zones proposal.

MOTION by Troy Felsman to approve the letters to the Department of Commerce and Governor Bullock for the Opportunity Zones proposal. Seconded by James Steele, Jr. Carried, unanimous (8 present).

MOTION by Anita Matt to adjourn the meeting. Seconded by James Steele, Jr. Carried, unanimous (8 present).

Council **adjourned** at 12:55 p.m., and is scheduled to meet again on Tuesday, March 20, 2018, at 9:00 a.m.

CONFEDERATED SALISH AND KOOTENAI TRIBES

/sgnd/

Troy Felsman
Tribal Secretary